

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

EDWARD PELROY,

Civil No. 09-6128-HU

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

HAGGERTY, District Judge:

Magistrate Judge Hubel has issued a Findings and Recommendation [36] in this action. The Magistrate Judge recommends granting plaintiff's request for attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$4,696.97, and fees pursuant to 42 U.S.C. § 406(b) in the amount of \$11,610. No objections were filed, and the case was referred to this court.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. U.S. Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. Accordingly, this court adopts the Findings and Recommendation in its entirety. Plaintiff's Motion for Attorney Fees [34] and plaintiff's Motion for Attorney Fees [31] are GRANTED. Plaintiff's counsel is awarded \$11,610 in § 406(b) fees, less \$4,696.97 in EAJA fees.

IT IS SO ORDERED.

DATED this 20th day of July, 2011.

/s/ Ancer L. Haggerty

Ancer L. Haggerty
United States District Judge